### BROOKE'S STAR WITNESS.

ADOLPH HEPPNER'S TESTIMONY IN THE FLEMING TRIAL.

Under Birld Cross-examination He Adheren to Damaging Evidence Against the Chemist-Expert Witness for the Prosecution, Dr. Scheelt -Ptomnines Crop Up.

It was piece for piece yesterday in the legal game that is being fought out for the life of Mrs. Fleming. First the defence attacked the pro-ecution's man, Dr. Scheele, and swept him off the board. Then the prosecution set upon the defence's medical expert Dr. W. Gilman Thompson, and he was theirs completely. Both sides are rejoicing over the victories, but the unprejudiced among the legal spectators think that the defence had the best of it. Dr. Scheele was a pretty important

After the morning's work it became evident that unless the prosecution can convict Mrs. Fleming without the testimony of Scheele their chances are not very bright. One witness did more to overthrow his testimony than the combined efforts of a dozen had done on the previous day, This was Albert H. Heppner, a German with a clear-cut face, an im perturbable manner, and a remarkably quick intelligence. It was the general opinion of the lawyers in court that a better witness has never been put on the stand in an important

#### DR. SCHEELE A TARGET.

Before the morning was over he had simply torn Dr. Scheele to tatters. His direct examination was brief, but his cross-examination long and arduous as such an astute and persistent cross-examiner as Mr. McIntyre could make it. Yet he came up smiling from every onslaught, and strengthened his position more by his answers to the questions of the prosecution than he could have done in reply to friendly interrogations. At one point he put his finger squarely upon the vulnerable snot of the prosecution's chemist. It was in reply to one of Mr. McIntyre's questions as to how Scheele happened to talk to him about the trial.

Scheele talked to me as he did," said the witness, "in order to impress me with his im-portance, and to show me that after this case was decided he would be a big man." In that moment the lawyers for the prosecu

ton probably fervently wished that they had either gagged that very important witness of theirs or sent him to an uninhabited isle until he was wanted on the stand. Schoole's bland and childlike vanity and his babbling tongue have done as much to injure the case against Mrs. Fleming as his ability as a chemist has to build it up. UNDER GOFF'S PIRE,

### Besides his exposure to the fire of the Assist-

ant District Attorney's questions, Witness Hepp-ner was subjected to a most severe test by Recorder Goff in a most unusual procedure, which caused no end of comment among the lawyers present. It was like a bit of school, with the Recorder as teacher and the witness as pupil called upon to recite. At the Court's behest Heppner was compelled to repeat from memory the conversation which he had had with Scheele regarding the case in April last, and which he had dictated to a stenographer four weeks later in Lawyer Shaw's office, while the jury, in the rôle of a Board of visiting examiners, followed the reciter in the text of s copy of Heppner's dictation which Mr. Brooke had used in Scheele's cross-examination, Considering that Scheele had originally spoken in German, which the witness was obliged to translate, Heppner gave a remarkable exhibition of memory under trying circumstances. Naturally he could not remember all that he had said, but the important parts he repeated almost verbatim. To make his task harder the Recorder kept nagging at him, urging him to go on and asking him why he could not emember exactly what was said, when he had been able to remember it for dictation. But Heppner kept his temper and his nerve, protesting mildly once or twice, and came through ing mildly once or twice, and came inrough triumphantly. Having completed his task in English he was set to it in terman, and, after making another high percentage, the court ceased to be a school room and became a court of law once more. But it was evident to all that the jury was deeply impressed by the wit-ness's eleverness and evident honesty. A REMARKABLE WITNESS.

Heppner took the stand looking a trifle pale, but calmed down as soon as the questioning had gotten fairly under way. Mr. Brooke's line of questioning was in pursuance of the statement made by Heppner in Mr. Shaw's office regarding the conversation which he had had with Scheele at the Harbor Hotel in Whitehall street. The witness identified the following language as that which Scheele had

My reputation is at stake in this case. With me it is not a question whether this woman is guilty or not. We have fixed it so that she will be convicted whether she is guilty or not. \* \* \* This woman has got to die. I have found her guilty and she has got to die.

Assistant District Attorney McIntyre then took the witness in hand and chased him all around the United States, beginning from the time when, as a boy, he landed in this country time when, as a boy, he landed in this country and went to work as a walter. A good many of Mr. Mcintyre's questions bore on the witness having lived under the name of Carl Breck until Heppner said positively that he had never heard the name before, which seemed to surprise the cross-examiner. The lawyer did succeed in bringing out that at one time Heppner had been identified with the brewery business, which is the question that has been put to all the witnesses called to impeach Scheele's testimony.

Getting down to New York, Mr. Mcintyre pursued the witness around the city.

Q.—Do you know Fredinand Wilckes? A.—Yes.

Yes.

Q.—You were here in court with him? A.—
I was here because I was subpromaed.
Q.—You have been here almost every day,
bave you not? A.—No. sir, I have not.
Q.—You have been out and about the building a great deal with Wilckes, have you not?
A.—I have been in the court room at the same
time with Wilckes, but I have not been going
about with bim.
Q.—You were in the Harbor Hotel, were you
not, with Scheele in April of this year? A.—
I was.

SCHEELE'S REER-DRINKING BOUT.

Q.—During the conversation with Scheele, how many glasses of beer did you both drink? A.—The party altogether drank this much, that when I left I paid a bill of \$7.

A.—The party altogether drank this much, that when I left I paid a bill of \$7.

He had already testified that after he had had the conversation with Scheele down stairs in which Scheele made his statement regarding the Fleming case, they went upstairs to gether and sat at a table talking and drinking with two women.

Q.—All that \$7 was for beer? A.—Yes.

Q.—And how long were you there drinking?

A.—About two hopis.

Q.—Then you drank \$3.50 worth of beer spiece? A.—Ah, you forget the ladles.

Q.—They didn't drink as often as you, did they? A.—Oftener.

As the party presumably drank imported beer at 10 cents a glass, their little two holds bout represented seventy beers, yet immediately after stating the amount spent for the refreshments the witness declared that he was not in the least under the influence of liquor.

Q.—How many glasses of beer did you drink yourself? A.—Oh, about ten.

Q.—Now, you say that you had already had this conversation with Dr. Scheele down stairs. When you were those were you seeking in formation from him with the object of telling about it afferward? A. No, sir.

Q.—What was your object in going up stairs?

A.—I won't deny that it was to get Scheele to repeat before witnesses what he had said down stairs alone.

Q.—He had been drinking a good deal had he not? A.—Yes.

tenest before witnesses what he had said down stairs alone.

Q.—He had been drinking a good deal had he not? A.—Yes.

Q.—He had been drinking a good deal had he not? A.—Yes.

Q.—bid you regard his conduct as being perfectly sane? A.—Well, no; I thought he had a screw hoose somewhere or he wouldn't have talked as he did.

Q.—And a 'ter drinking with Scheele and these women for two hours did you go away? A.—Yes. Scheele wanted to borrow money from me and I thought it was time to go.

At this there was laughter in the court room, and the Recorder, nicking out a man in the front row of the speciators, ordered the court officers to put him out of the place and see tout he never came there again, adding a warning that there would be more dismissals if there was any repetition of the disturbance.

Q.—Did Scheele say to you, 'I have also convinced Dr. O'Sullivan to come over to our side?'' A.—Yes.

Q.—Don't you know that Dr. O'Sullivan was not at that time brought into the case! A.—No, air,

Q.—On the occasion when you had the conversation to which you have testified you saw Scheele for the first time? A.—Yes.

SCHEELE'S VANITY EXPOSED. Q.—And on your first meeting he said to you, a stranger, such confidential things as you have related. How do you account for that? A.—Well, in order to show how important he,was and what a big man he would soon be, he gate talking to me about himself in regard to this Q.-Were the women with you prostitutes?

-And you were willing to have them as

corroborating that testimony? A.-I would rather have had persons of better character, but they were better than no corroboration at all.
Q.—Have you seen the women since? A.—
Yes, in the same place.
Q.—What did you say to them A.—That I
was going to see the first court officer I could and tell him what Scheele had said about the

Q.—Did the women tell you not to see Mr.
McIntyr? A.—No, they did not.
Q.—Who did? A.—A man of good reputation whose name I would rather not give beause he might not want to be drawn in.
Q.—There is nothing derogatory to him in
the matter, What was his name? A.—B.
Schoenhein a newspaper man. the matter, What was his namer A.—H. Schoenhein, a newspaper man.

A moment later the witness said, in addition to an answer which he had gives to a question, that "he took no stock in those women any way."

"Yet you wanted them as corroboration," said Mr. McIntyre quickly.

"Well, they were better than none," said the witness, "I don't especially care about corroboration now, any way."

Q.—Why? A.—Well, I think that the jury will believe me.

Q.-Did you know of Wilches's relations (A)

the defendant?
bjected to, but allowed.)
-I heard that he was the father of her child.

The witness then told how he had congratulated Wilckes on the birth of the youngest child and of Wilckes thanking him for his good wishes, whereat Mrs. Fleming smilled. As et mer was about to leave the chair, Recorder Goff began his inquisition.

The Recorder-You male the statement of Scheele's conversation with you to a stenographer in Mr. Shaw's office, did you not? A.—1 did.

Do you remember that statement exactly now? A.—I remember most of it.
Q.—You said that the conversation lasted for two hours. Could you remember all of it so as to dictate it to a stenographer? A.—Yes, I remembered it. as to dictate it to a stenographer? A.—1cs. I remembered it.
Q.—Do you remember any distinct or separate sentences or paragraphs in the whole course of the courseafulu? A.—Ves. sir.
Q.—Where you quoted him as saving "I have fixed it so that she will be convicted whether she is guilty or not," was that correct? A.—Yes, sir, all but the worl fixed.
Q.—Can you remember other parts of the conversation exactly as it took place? A.—I don't know that I can.
Q.—If you could remember to dictate it all to a stenographer several weeks later, why can't you remember it now? A.—I can; some of it.
Q.—Well, repeat some of it.

### HEPPNER'S WONDERFUL MEMORY.

HEPPNER'S WONDERFUL MEMORY.

Then began the recitation. As soon as the witness would pause after reciting a few sen tences the Recorder would ask, 'Well, is that all?' or 'Can't you go on?' or 'Give me an other sentence.' Then the witness would proceed. Finally his Honor ordered the examination to be produced from the record. The same questions which had just been asked Heppner had been asked of Scheele on his cross examination by Mr. Brooke, who read from the stenographic report which Heppner had given in Mr. Shaw's office. To all questions recarding the conversation Scheele had returned denials that he had ever used the language attributed to him, so that it was evident from Heppner's statements on the stand that either he or Scheele had committed perjury. The record of Scheele's cross-examination was given to the jury, who followed, as Heppner recited from memory portions of the conversation, for several minutes. The witness combiance that it was hard for him to take up a new section without being prompted at the start, saying that he had to translate from the original Gernan, in which the conversation had been conched. The process of getting at this was something as follows: After a pause: The Recorder—is that all?

The Witness—I don't know the exact words. The Recorder—Go on. Do as well as you can. Mr. Brooke—Go on.

Then the witness would give another paragraph and come to another had, after which: The Recorder—Anything further?

Heppner—I cannot remember the words exactly as they were, your Honor.

The Recorder- Anything further?
Heppner-I cannot remember the words exactly as they were, your Honor.
The Recorder-Weil, go on.
Heppner-I know there is more, but—
The Recorder-Can't you think of it?
After this had been going on for perhaps ten minutes, and a considerable portion of the conversation had been repeated with such accuracy that the jurymen were all nodding their heads as they followed it in their copies, the witness's admirable memory reached its limit as fir as English was concerned. After the records were taken from the jury, Juror No. 3 rose and said: ose and said:
"Your Honor, this conversation was originaly given in German. Should it not be rejeated

German?" Mr. Brooke—I agree with that heartily. The Recorder—English is the language of this court.

Mr. Brooke (on redirect examination)—Repeat in German all of the conversation that you can remember as nearly as you can remember it.

This the witness did, while a German stenographer took down what he said. On translation it proved to be about as accurate as the English had been. Then the Recorder took a hand again.

hand again.

Q.—What is the German equivalent for acquired? A.—Erwerben.

Q.—In your statement did you use the English equivalent for that word? A.—Yes.

Here recess interrupted the questioning, and after recess litepract the questioning, and after recess litepracted only a very short session, the only question of any importance which he answered being asked by a juror, who wanted to know if Ferdinand Wilckes was present when Heppner's friend advised him not to go to Mr. Melntyre. He was. and again.
O.-What is the German equivalent for ac-

## THE PTOMAINE'S INNING.

The deadly ptomaine entered largely into the afternoon's proceedings, Dr. Thompson standing stensor for him. First Lawyer Brooke ing sponsor for him. First Lawyer Brooke stirred him up, and then Dr. O'Sullivan upused nim in his torthous and torturesome course about the human interior, finally putting an end to him with antidotes. He was easier, however, than the chemicals which followed him in the consideration of the court for Dr. Witthaus's examination sounded like an apotherary's price list. haus's examination counded like an apothecary's price list.

A few minutes were taken up early in the afternoon by a witness named Dewey, who declared with great emphasis that br. Scheele's general reputation in Hoboken was bail. To Mr. McIntyre the witness said that he had had business relations with Scheele.

Q.—Were the relations pleasant or unpleasant? A.—Very unpleasant to Dr. Scheele, I should think.

Q.—Never mind that. Were your relations with him pleasant or unpleasant? A.—Unpleasant? ant? A.—Very unpleasant to Dr. Scheele, 1.

Q.—Never mind that. Were your relations with him pleasant or unpleasant? A.—Unpleasant.

As. Col. R. J. Haire's name was called. Dr. O'Sullivan looked carlonaly about the court room, but Lawyer Haire was not there. In his alsence Dr. W. Gilman Thompsor, professor of materia medica and the apeutics in New York University, was the next witress. In reputation Dr. Thompson is perhaps the star witness on the medical side of the defence. But he was turned squarely about, and in effect his testimony was practically two hours of good work on the prosecution's behalf. It is only fair to the Doctor to say that the twisting about which he got was not due in any sense to stubility, but to the absolute fairness and frankness with which he answered Dr. O'Sullivan's questions. Dr. Thompson, who is a very young looking man for his age of 39, qualified extensively. He is on the board of several hospitals, the author of a number of books, and a member of the Society of American Physicians, which is limited to 100. Also, he has been bolooned by clam chowder, which lent him a particular fitness for the o-casion. Mr. Brooke, after asking him a number of questions about himself, started him upon the ptomaine.

Q.—What causes ptomaine polsoning? A.—If may result from earting food which is not good, but not necessarily patrefying.

Q.—Have you had any experience with such polsoning personally? A.—96, I have been polsoned by eating clam chowder.

Q.—bescribe your symptoms.

Dr. O'Sullivan—I object. This gentleman must know, as any dector of his reputation knows, that a physician is absolutely unable to describe his own symptoms.

Nevertbeless, the question was allowed, which afterward turned out to be an excellent thing for the prosecution.

A.—Nausea, prostration, and coldness of the extremities.

Q. How soon after eating the chowder?

A.—Hosselby snock, or heart failure.

Q.—Hosseribless, the question as to what, in the doctor's opinion, was the cause of death under such eiting his assistan

GOFF TURNS BROOKE DOWN. Q.—Assuming the hypothetical question as proven, state if these symptoms could not exist in a case of promaine poisoning? A—they might exist. Question and answer objected to and stricken out, but the subject matter of the question was put in another form and allowed, the answer being in the affirmative.

ter of the question was put in another form and allowed, the answer being in the affirmative.)

(1)—Would they be consistent with cholera morbus? A.—They could be.
Several other questions were then asked and ruled out by the Court, who suggested the form in which the questions abculd be put. Mr. Brooke, however, insisted that there was plenty of good authority for asking leading questions of an expert witness, and that the Court should not rule the questions out because they were leading.

"Show me one authority, Mr. Brooke," said the Recorder.

"There are plenty of authorities," said the lawyer hotly, "but I object to the Court's throwing doubt on my word in this way.

"Mr. Brooke," said the Recorder, "no one knows better than yourself that it is usual for a counsel making a clean to have authority to back him to produce that authority."

After considerable graumbling the lawyer becam reading from a record which he had, but was cut exort by Recorder Gof, who said.

"You are reading from a charge to the jury in

a magazine article, moreover, which is hardly an authority.

"It's just as good in the form of a charge to the jury." Instead the lawyer, and he started in again, but the Court cut him short, declaring that he would have no more discussion on that subject at that time, and bidding him proceed with the examination; but trouble soon broke out again, for the next question of Mr. Brooke's was ruled out on the same ground. fround.
The Recorder—I have already instructed you,
The Recorder—I have already instructed you,
The Recorder—that the proper form for that Mr. Brooke, that the proper form for that question is to ask what diseases are con

Mr. Brooke, that the proper form for that question is to ask what diseases are consistent—

Mr. Brooke—With all due respect to the Court, the defence prefers to ask its questions in its own way.

The Recorder—Very good, procred.

Mr. Brooke—Now I ask you, Mr. Stenographer, to read the last question.

The Recorder—And I direct you not to.

But, on Mr. Brooke's pathetic plea that he needed a recollection of the question so that he might know what to avoid, the question was allowed to be read. It failed of that purpose, however, for the next question was thrown out like its prederessor. After a number of questions about Bright's disease, the lawyer took a new tack, this time on the subject of Dr. Bullman's treatment of Mrs. Bilss.

Q.—Would the following treatment be proper? (Described Dr. Bullman's treatment.)

A.—I should think not.

Q.—Would it be proper to administer anbultance of bismuth and blearbonate of soda?

A.—It would do no harm.

Q.—As far as the efficacy is concerned? A.—Not necessarily, in the early stages.

Under Observance.

UNDER O'SULLIVAN'S FIRE. This terminated the direct examination, and Dr. O'Sullivan began upon the witness's cross-examination by asking him to describe his examination by asking him to describe his symmomy in his own polsoning case, which Dr. Thompson did, repeating what he had said on direct examination.

Q. Do you recall your pulse? A.—I didn't Did you take your temperature? A .-Q.—But you said that your extremities were old? A.—Yes.
Q.—How did you know? A.—From my hands.
Q.-Oh, you took the temperature of one hand with the other, did your A.-Yes.
Q.-How was the other? A.-My hands were cold.
Q.—The hand that you felt with, then, was colder than the one you felt? A.—Yes.
Q. (asked with evidence of intense interest)
—Is it common, Dector, in ptomaine poisoning, to have one hand of different temperature from the other? A.—Well, I don't know that it is. the other? A.—Well, I don't know that it is. Q.—Then your case was a most peculiar one. Do you remember well this extraordinary case of ptemaine poisoning? A.—I don't know that it was such an extraordinary case. Q.—Did you make any approximation of your temperature? A.—None whatever. Q.—Did you compare your hands with any other, parts of your bedy besides with each other? A.—Yes: I put my hand on my leg. Q.—And the leg was different in temperature from the hand? A.—Yes.

GOFF REBUKES "PRIVATE COUNSEL." Here Dr. O'Sullivan said something in an aside to Mr. Brooke, whereupon purple spots manifested themselves in that gentleman's rising face. This attorney," cried Mr. Brooke, "says to me. Do you seriously offer this man's testimony," and vet your Honor will not permit me to characterize him as a private counse!"

"That is an improper proceeding, Dr. O'Sullivan, "said Recorder Goff. "Do not repeat it.
Proceed." roceed."
At this point the medico-legal examiner led he medical expert into unpleasant bypaths f the profession whither it is not necessary to allow, but presently emerged with this questions. What treatment did you give yourself?

don't remember.
-Were you seriously ill? A.—Not danger-Q.—Were you seriously ill? A.—Not dangerously.
Q.—Are you positive you didn't take subnitrate of bismuth or blearbonate of soda to settle your stemach? A.—I am quite positive Q.—How, do rou know that you were suffering from ptomaine poisoning? A.—By the symptoms.
Q.—How many diseases are these symptoms common to? A.—To a large number.
Q.—And how many kinds of poisoning? A.—Also a large number.

a large number. -And how did you select ptomaine poison-Q.—And now did you select produce to a state difficulty with which you were so rainly suffering? A.—I had had no disease, if I had been eating clam chowder, so I supposed that the clams were putrefying. I did it say on this stand that I was suffering from omaine poisoning, but that I had been poined by clam chewder, and that I supposed that was blomaine roisoning. it was plomaine poisoning.

Q.—Can shellfish cause any other than ptomaine poisoning? A.—I have heard of copper poisoning from shellfish about the copper bot-

is the second se 1.—How many ones and know.
m shellfish? A.—I don't know.
J.—Then that was only a guess of yours that was ptomathe poleoning from which you flered? A.—Yes. -Were the clams that you had cooked? A.

O. Den't you know that cooking destroys the toxic qualities of ptomaines in shellfish?

A.—I didn't know that,

(Dr. O Suill'van real authorities showing that the most active ptomaines are destroyed by Q. Do you realize that death always occurs at three points, the brain bears the second

at three points, the brain, heart that lungs?
There was some discussion over this, but the
witness finally agreed that in one view that was true.

Q.—Did your ptomaine poisoning affect the heart? A.—I don't think that could be answered except after a post-mostem examina-

tion.

Dr. O'Sullivan—I am very happy that there was no such opportunity in your case. Doctor. You read Dr. Bullman's testimony? A.—I did. Q.—Mention one symptom of acute arsenia. Q.—Mention one symptom of acute arseni-cal poleoning that was absent? A.—I don't think there are any. Q.—Do you find arsenin in the stomach where ptomaine poisoning occurs necessarily? No.

If Mr. Shaw-In case of cooked shell-fish might not there be such changes in the stomach after eating the shellfish as to pro-duce ptomaine potentiag? A. Yes.

CHEMICAL EXPERT WITHIAUS.

By means of the next witness, Wilbur F. Rawlins, the druggist from whom Dr. Witthaus wot the prescriptions of bismuth, the defence attempted to lay the foundation for their theory that the arsenic found in the contents of Mrs. Bliss's stomach was in the bismuth, but this line of testimony was cut off by objections. A. T. Moore, the man who presented the prescription for Dr. Witthaus, followed, but the ruling of the Court cut him short, too. Then came Dr. Witthaus himself, the principal chemical expert of the defence. He said that he had acted as an expert in many poisoning cases, including the fluchanan case, the Meyer case, and the Cariyle Harris case. Through Dr. Witthaus Mr. Brooke attempted to inject the bismuth into the case, but failed again, except that he got this it:

Q.—Is or is not subnitrate of bismuth frequently contaminated with arsenic. A. It is, On the matter of Dr. Scheele's having divided the contents of the stomach Mr. Brooke then questioned the witness about the possibility of dividing such a stomach into parise exactly equal even to the sixth, seventh, and eighth decimal places in grammes or grains. Dr. Witthaus said that it was impracticable. Then there were more questions of analysis relating to the practicability of discovering mineral poisons by the processes through which the prosecution's chemists had gone.

Q.—Is such a process as he said that he had CHE MICAL EXPERT WITTHAUS.

prosecution's chemists had gone.
Q.- You heard the testimony of Dr. Scheele?
A.-Yes.
Q.- Is such a process as he said that he had completed between the 3d and 6th days of September, 1855, possible to be performed within such a time?
Objected to and the objection sustained.
The defence questioned Dr. Witthaus with the attenut to prove that all the alkaloids could not have been found without very long processes. On cross-examination Dr. O'Sullivan brought out the fact that a general test for alkaloids can be made in a very short time. Just before the adjournment Mr. Brocke asked that Sanders, the witness of the previous day, who was formerly Dr. Scheele's clerk, be excused from attendance, a request which Mr. Meintyre opposed, saying that it would be necessary for the prosecution to have him in rebuttal. The Recorder however excused him, warning him to return when called. The court then adjourned.

## WHAT IS LEGITIMATE "PHAT?"

Mr. Seth Low Wrestling with the Last Sing in the Printers' Dispute. The question of what constitutes legitimate "phat" is now occupying the attention of President Seth Low of Columbia College, who is trying to prepare a fair decision in the dispute netween J. J. Little & Co. and their compositers. The joint committee of the New York Typothetic and Typographical Union No. 6, which agreed to abide by his decision on the disputed points, are divided as to what legitimate "phat" is. The term "cuiling the phat" Mr. Low already understands.

It was learned yesterday that Mr. Low had a long discussion this week with the joint committee on the "phat" question.

Secretary Ferguson of the union said last night, "We will abide by Mr. Low's decision as to what legitimate phat is."

At a meeting of the Board of Managers of the Botanical Garden yesterday Secretary and Director-in-Chief Britton was authorized by motion to secure the advice and assistance of en-gineers, landscape architects, and gardeners in preparing the plan for the development of the Bronx Park site and was instructed to report on the plan to the Board of Managers in the autumn.

## FAIRBANK ON THE STAND. HIS DEALINGS WITH MRS. CARTER

AND DAVID BELASCO. he Chicago Packer Says He Feit Like Aldiaz the Divorce's Tutor - Looked Upon Mis Advances as a "'Pon Honor" Matter with Belasco-To Close To-day.

Mr. N. K. Fairbank brought the proceedings in the trial of the suit for \$05,000 which David Relasco has brought against him down to a very sedate and quiet stage when he took the stand in Judge Giegerich's court, and told his story of the early stages of Mrs. Leslie Carter's theatrical career. Mr. Fairbank confined himself with business-like attention to answering the questions the lawyers put to him and expressed in tone and manner no interest in the personal elements of the case which have up to this time absorbed the attention of the witnesses. Only once, when Lawyer Dittenhoefer asked him on the cross-examination if he had never made any investigation into Be lasco's financial standing, did Mr. Fairbank indicate any interest in the parties to the suit. "Financial standing?" he asked. "Why. I

never supposed he had any." Mr. Fairbank testified that he was 67 years old, and met Mrs. Leslie Cartor first in 1888 at the Southern Hotel in Chicago, when Wirt Dexter, an old friend of his, and, at that time, Mrs. Carter's lawyer in her divorce suit, introduced them. He said that he had afterward called on Mrs. Carter at the Hotel Richelieu in Chicago. The cards that he sent up to Mrs. Carter on the occasions of these visits eight years ago were preserved by Mrs. Carter, and are in the possession of Mr. Belasco's attorneys. Yesterday in court they were produced, and the

defendant identified them.
"I met Belasco first," the witness said, "in June, 1890. He came up to me in the office of the Brunswick Hotel and introduced himself. As my family was with me, I did not want to take him up stairs. The next day we met at E. K. Willard's office at 50 Broadway. Belasco said be had been training Mrs. Carter for the stage, and that she hadn't money enough to go on. He said he understood I was responsible for the enterprise. 'I have agreed,' I said to him, 'to guarantee E. G. Gilmore against loss up to the sum of \$10,000 if he puts Mrs. Carter

up to the sum of \$10,000 if he pats Mrs. Carter on the stage. She did not get on with Mr. (illinore, and when I paid him \$2,000 he said he had spent, I was foolish enough to give Mrs. Carter the remaining \$8,000."

"Belasco said she had more talent for the stage than any woman he had ever seen." Mr. Farrhank continued, "and Belasco said that he would be ruined if the thing didn't go through. 'Can't you let me have \$10,000,' he assed; 'can't you trust me with it. It's not much for a rich man like you.' He spoke eloquently of Mrs. Carter's prospects and certain success, and after a while I told him I felt like helping him. 'Mrs. Carter has a big enterprise on her hands,' Mrs. Carter has a big enterprise on her hands. drs. Carter has a big enterprise on her hands, at I'm not inclined to father it. But I do feel

ike adding you."
"You'll be sure to get your money back if you kivance it. Belasco said, and I told him that on its assurance to pay me back the money I would end him the \$10,000. Mr. Belasco was very grateful, and that ended the interview."

rateful, and that ended the interview.
Lawyer Deming produced a letter which Mr.
Larbank said he had told his attorney, charles.
Allen, to write to Belasco. It contained this
hause: You are to receive any amount rejured not to exceed \$10,000, and you are to
make such contracts as may be necessary to
ave the amount so advanced refunded out of
ne net receipis. Such contracts may be made
a your name as if you made the advances. It
fill be treated as a "non honor" arrangement your name as it you made the advances. It is be treated as a "pon honor" arrangement th you." Mr. Fairbank denied the interview to Helasco to which the plaintiff had testified.

said he had never seen Belasco at the time alleged the first had taken place in Mrs. Carr's spartments at the Madison, and said he donly seen Belasco once at E. K. Willard's

t came out in the cross-examination that Mr. At came out in the cross-examination that Mr. Airhank had met Belasco only four times during the time referred to in the action—once for few minutes at the Brunswick Hotel, once at L. K. Willard's, once on the street, when Besico was with Mrs. Carter, and a fourth time in Chicago. This happened during the Christians Relidays of 1890 in his lawyer's office in history.

histago. "I was in angry mood when I went into the siftee," If was in angry mood when I went into the siftee," Mr. Fairnank said, "and I said to Mrs. Tarter and Belasco, who were there, 'Do you or either of you make any claim that I am under any chilgarion to advance money?" "Oh, no, Mr. Fairbank, we do not,' both of them said.

hem said.

"Then I told Belasco how I originally guaran-eed (illinore \$19,000 if he lest that in the effort a make Mrs. Carter an actress; how I had paid im \$2,000; how I gave Mrs. Carter \$8,000, and ben \$7,000 to make her arrangements with trice; also \$10,000 to Belasco himself, which he ad promised on his honor to pay back, \$4,000 to ave the curtain raised on "The Ugly Ducking," had \$4,000 to get the company out of New ork."

Mr. Fairbank said that Belasco grew highly Mr. Fairbank said that Belasco grew highly recited when he announced that not another ent was to be had from him. "I don't want any more play acting, I said, 'I've had enough of that aircady,' Then Helasco rushed out of he room and said he would go to the newsapers. 'Bon't mind him, Mrs. Carter said; he's so excitable,' and then she begged me, as I lone so much for her aircady, to advance money mough for the company to come to Chicago, promised to do this after a while and it took it.

I promised to do this after a white and it took \$11,000.

On the cross-examination Mr. Fairbank said that he had been asked by Witt liester, Mrs. Carter's lawyer, to interest himself in her before her divore. He said that he knew Mr. Carter, and that he had met Mrs. Carter in society hefore he called on her. Once he had danced in a set with her at a hall at the listed Richelieu. His direct evidence was not changed in any respect on the cross-examination, and he said that Mrs. Dudley, Mrs. Carter's mother, had told a laiselined when she swore to having seen him at the Madison apartment house when Belasco, Price, and itseder were present. He said he had called often at her hotel on Mrs. Carter, and sematimes gone to her rooms, but usually to the hotel parlor.

The case will be concluded to-day.

# WHEELWOMAN RUN DOWN BY A CAB.

Driver and Passengers Abuse Her-She Pursues and Has Cabby Arrested, Patrick Delehanty, 51 years old, a cab driver, of 381 Lexington avenue, was arraigned in the Yorkville Police Court yesterday morning on the complaint of Mrs. Elizabeth M. Taylor of 150 West Forty-fifth street. She charged him with having intentionally run her down when she was riding her bicycle on the Boulevard on Tuesday night. According to her story, while she was riding slowly up the Houlevard, near Sixty-third street, shortly before 11 o'clock, she heard a great racket behind her. Before she could change her course the horse and cab driven by Delchauty dashed past her. Inside the cab were two drunken men, who pounded on the side of the vehicle with their fists and called her abusive names. As the cab passed her, the hub of one of the wheels struck the pedal of her bicycle, causing her to lose her

pedal of her bicycle, causing her to lose her halance and tumble headlong onto the driveway. When the cab driver saw the mishap he pulled up his horse and shouted all sorts of things at her. Some she didn't care to repeat, but among other abuse she recognized names commonly in use among corner leafers.

Although stumed by her fall, she scrambled to her feet and relit the bleyelt lamp, which had gone out in the scriminge. Then she jumped on her wheel and scorched after the rapidly disappearing cab. She overtook it at Sixty-seventh street, and seeing Policeman Kelly of the West Sixty-eighth street station on the sidewalk called to him to arrest the cab driver. Delehanty was so drunk that he nearly tumbled off his box when the policeman grabbed the horse by thablt rein. Then the outlit, with the two drunken passengers, was driven to the station house. Mrs. Taylor followed on her wheel and made a complaint against the cab driver. One of the passengers bailed him out for the night,

When arraigned before Magistrate Wentdriver. One of the passengers balled him out for the night, When arraigned before Magistrate Went-worth the prisoner said he hadn't done any-thing, but that the complainant had run into him. The man who went his bond at the sta-tion house, and who appeared as a witness for the driver, was still too drunk to give a con-nected account of the affair. The Magistrate decided the case by fining Delchanty \$5.

# FERRYBOATS IN COLLISION.

Iwo Come Together Near the Grand Street Two ferryboats of the New York and Brooklyn erry Company collided yesterday afternoon near the Grand street slip, this city. The boats were the Alaska and the Columbia. The Alaska was making a trip from Brooklyn when the accident happened. When near the Grand street slip she had to go out of her course a little on slip she had to go out of her course a little on account of a tug that was going up the river with a tow. By doing so she came directly in the path of the Columbia, which was leaving her slip on a trip to Brooklyn.

The pilots used every effort to keep the boats apart, but it was impossible to prevent a collision, owing to the strong tide at that point. The two boats came together with a crash. The bow of the Alaska struck the Columbia on the port side and tore away several feet of her guard rall.

There were only a few passengers on the boats

guard rail.

There were only a few passengers on the boats at the time and but little excitement was created among them. No one was injured by the flying splinters. The boats continued their trips as usual, neither of them being badly damaged.

MOTT FINES A LAWYER \$10. Declares Him Disorderly While He Is A Butcher Held for Trial for Not Sending

Lawyer Maurice H. Gottlieb appeared in Essex Market Court yesterday as counsel for Louis Petersberg of 173 Broome street, who was charged with receiving stolen goods taken rom the premises of Selig Goldstuf. While lottlieb was cross-examining the witness Magistrate Mott told him to stop. When the law-yer insisted on continuing, the Magistrate said: "I will hold you for disorderly conduct in the

The lawyer protested, but the Magistrate ordered Policeman King to make out a complaint against the lawyer. In the mean time all the receedings were stopped. While the complaint was being drawn up Lawyer Gottlieb, who had been placed under arrest, advanced to the rail and said to Magistrate Mott: "There is not a lawyer, a client, a witness, or

court."

a complainant who has come before you who has not been insulted by you."
"You are charged with insulting language and acting in a boisterous manner," said the Magistrate to Gottlieb.
"I plead not guilty," said Lawyer Gottlieb, "and I ask that my case be sent to another Magistrate, as you cannot appear both as complainant and Judge in the case."
"I don't care anything about that," said Magaluant and Judge in the case.
"I don't care anything about that," said Mag-

strate Mott.
Gottlieb demanded that Magistrate Mott take the witness stand as a witness for the defence.
"I fine you \$5," said Magistrate Mott.
"I don't care if you fine me \$50," replied Gottlieb, "as it is worth that much money to give me an opportunity to tell you what you are, your conduct has been disgraceful, improper, and Insulting."

Your conduct has been distracted, improper, and insulting."
"I fine you \$10." shouted the Magistrate.
The lawyer paid the fine under protest and afterward said he would immediately begin proceedings against Magistrate Mott. According to Gottlieb, not only will a civil action he brought against the Magistrate, but charges tending toward his removal from office will be made.

tending toward his removal from office will be made.

There was much excitement in the court room during the controversy, and over fifty people who desired to see the Magistrate to make complaints were put off on account of the row. Those who witnessed the scene said that Lawyer footile's acted decorously, and nobody is able to account for the sudden outbreak on the part of Magistrate Mott. The lawyer says that Magistrate Mott became angry at him when he asked for an examination, and declared that the case had already been examined. When he showed the Magistrate the papers, with the Magistrate's own endorsement setting the time for refixamination, Mr. Mott refused to admit his error. Then came the rumpus.

### SEIZED MAYOR GLEASON'S DOG. Two Long Island City Officials Who Didn't Know the Big Axe Wielder.

Mayor Gleason made Richard Lee dog catcher of Long Island City. Mr. Lee appointed two licutenants from Brooklyn, mainly because they would not be recognized in Long Island City The Mayor owns a short-haired dog called Rex. When he returned from this city on Tuesday night about midnight Rex was waiting for him n a corner opposite the ferry entrance. The Mayor took a seat near a fruit stand in front of Fony Miller's Hotel. Several city officials were standing around, but none of them at first noced two strangers, who borrowed several yards f twine from the propositor of the fruit stand. of twine from the propeletor of the fruit stand. Soon, however, the strangers had the twine around the dog's neck.
"Mayor, what are those men doing to your dog?" asked one of those present.
Mayor (Heason jumped up and made for the

then, exclaiming:
"Here! Where are you going with that dog!"
"We are yoing to take him to the nound," replied the biggest of the two strangers.
"You let that dog go," commanded the Mayor, in no mild tone.

in no mild tone.
"I would like to see you make me let him go," retorted the spokesman for the pair of dog atchers.
The audacity of a man that would dare Pat

The audacity of a man that would dare Pat Gleason to do anything took the breath away from every officenolder present. Instead, however, of taking hold of each dog catcher by the coat collar and shaking him out of his boots, the hig Mayor stopped short. It suddenly occurred to him that he did not have a license for the dog and that the local ordinance did not exempt the Chief Excutive of the city.

"If you are dog eathers show your authority." he said to the men. One of them unbustoned his vest and displayed a hadge attached to his suspender. The Mayor found the badge was genume and fold them to take the dog.

"But remember that that dog belongs to the Mayor, and don't you harm him."

At the amouncement of the ownership of the dog the two men began to release him.

"Don't you let him go," exclaimed the Mayor.

"I'll get a license for him in the morning."

It was no use. The dog was released and the men started to leave, when the Mayor ordered them to give up the badge. They did so, but one second thought he returned it to them. Mayor dieason was too busy yesterday to get a license or lice, but there is no lear that the animal will be molested again.

Mayor tileason said last night that the only

will be molested again.

Mayor cleason said last night that the only
thing about the capture of his dog that bothered
him was the fact that the two dog catchers did
not know him.

Young George Shrady Wants His Marriage Annulted He Alleges Misrepresentation, George Shrady, a nephew of Dr. George F. Shrady, sought before Justice Pryor of the Supreme Court yesterday an annulment of his marriage to Georgiana Logan, on the ground that she had a husband living when he married her, and that she had falsely represented that she had not been married before. married in November, 1884, while she was a song and dance performer under the name of Memotte. They separated in July, 1804. She was 24 years old at the time, a year younger than Shrady. She had a boy 3 years old, whom she represented as her brother, Shrady says. Subrepresented as her brother, Shrady says. Subsequently he discovered that the certificate of the birth of the bay put his father's name as John Boehm. The certificate was put in evidence yesterday and Boehm was examined concerning it. He said that the woman had given birth to the child on her return from a tear on the road. To save her from disgrare he had allowed his name to be used as its father, although he was not so in reality.

Justice Pryor said that the claim that foehm was her husband was not proved, and that he would reserve decision on the point as to whether the marriage should be annulled for false representation.

Mr. Shrady such the woman two years ago for diverce, but the case was not brought to trial. Shrady was ignored by his relatives after his marriage. He studied medicine in Montreal, ite says that he spent a fortune while living with the defendant and that he is now without means.

Mrs. Rachel Grieg, a sister of Louise Allen

with the defendant and that he is now without means.

Mrs. Rachel Griez, a sister of Louise Allen Coffler, the "kangaroo" dancer, a ked Justice Heekman in the Supreme Court yesterday to shoul her marriage to Carlyle Norwood Griez, which excurred in 1869. It is claimed that Grieg had a wife living at the time of the marriage to the plaintiff.

## TAILORS' WIVES INDIGNANT.

A Movement in the Union to Shut Them Out of Funeral Benefits. The wives of a number of members of the Journeymen Tailors' National Union were exercised yesterday over a radical proposal to abolish the wife's funeral benefit, which has been heretofore one of the features of the union. John B. Len-

ion, General Secretary of the national body, has non, General Secretary of the national body, has issued an address in which he says the proposal has received the support of a number of local unions. Then he says:

"If our locals desire support in strikes or lockouts this benefit must be abolished. If the members wish to avoid repeated levies, the mioption of the proposition to strike out the wife's funeral benefit will do away with reneated levies. If organizing is to be pushed, funds can be provided for the work by the abolition of the wife's funeral benefit."

The wife of a member of the union said yesterday:

terday:
"We don't think this movement will be popular, and we will try and get our husbands to yote against it. Six hes are not popular with the wives of working ben, and the hiea of doing away with the benefit that more money may be away with the benefithat more money may be had for strikes makes matters all the worse."

## THAT SENATE BOND INQUIRY.

Mr. Belmont to Testify Before the Com-mittee This Morning.

The five members of the special United States Senate Committee appointed to investigate the recent sales of Government bonds arrived in this city yesterday afternoon. Senator Harris of Tennessee, Chairman of the committee; Senof Tennessee, Chairman of the committee; Senator Vest of Missouri, Platt of Connecticut, and Waithhall of Misslasippi are stopping at the Hodiman House, while Senator Jones of Nevada is at the Waidorf. Senator Harris said last night that the committee would hold an open session this morning at the Hodfman House at 11 o'clock. Mr. Belmont of the Morgan syndicate, he said, would be the first witness examined. He did not know whether any further witnesses would be called or not. "We may get through our business in thirty minutes or it may take two days."

Commissioner Andrews said yesterday that the Police Board might investigate Capt.

# COMPULSORY EDUCATION LAW.

In the Centre Street Police Court vesterday three children were arraigned under the new Compulsory Education law, and for the first time in any court the father of one was held for trial in Special Sessions for non-compliance with its provisions. The amended Compulsory Education law, which recently went into effect, provides that "every person in parental relation to a child between the ages of eight and sixteen years, in proper physical and mental condition, shall cause the child to attend upon Instruction or present proof by affidavit that they are unable to compel the child's attendance. A violation of the requirements of this law is decined a misdemeanor, punishable by a fine of five doilars for the first offence and for each subso-

a misdemeanor, punishable by a fine of five dollars for the first offence, and for each subsequent violation a fine not exceeding fifty dollars, or thirty days' imprisonment.

Truant Officers Morris Strauss, Vincent Cristable, C. Wesley Baum, and Supervisor William M. Locke brought the three children and their parents before Magistrate Flammer.

Thirteen-year-old William Walsh was the first arranghed. The half a father is a butcher at 112 Roosevelt street, and could give no other excuse for his son's non-attendance than that the boy refused to attend school, and that he was too busy with his business to see that the boy went daily to school. Mr. Locke explained that he personally notified the father last November that the boy must attend school, and that the truant officers had several times personally taken young Walsh to school, but he had remained only a few days. Magistrate Flammer then held the father in \$100 for trial in the Court of Special Sessions. There Mr. Walsh will plead guifty, he says, and pay his fine. He believes his arrest will have a good effect on the son.

The other two children were Mary and Philip Billotto of 105 Washington street. Mary appeared to be not more than 12, and hardly displayed the intelligence expected from one of that age. Yet the father swore she was 18 When the mother was asked in what year the child was born, she repliedly without hesitation.

"Why, that would make her 23," exclaimed Maristrate Flammer.

"Yes," replied the mother, "Mary is 23."

"Why, then does she wear short drawas." in.

lagistrate Flammer. "Yes," replied the mother, "Mary is 23." "Why, then, does she wear short dresses," inulred Agent King of the Gerry society.
"Because she likes them," was the mother's answer.

The father said the son Philip was afraid to attend school, as the other boys had beaten him badly because he was a foreigner.

Magistrate Flammer reprimanded the parents, and told them they must send Philip and 23-year-old Mary to school or clee produce documentary evidence of her age.

#### M'CORMACK NOT A MURDERER. The Boy Ferrone, Who Accused Him, In-

dicted by the Grand Jury. The District Attorney and police are now vorking on the theory of the guilt of Joseph errone, the young Italian who Implicated Edward McCormack with the murder of Mary unningham, the thirteen-year-old girl found strangled to death at her home, 315 East Thirtyseventh street. Ferrone was indicted for perjury by the Grand Jury yesterday, and at the same time the complaint of murder against McCormack was dismissed. Ferrone swore to the police that he saw McCormack in the room with the girl and afterward saw him running away from the house.

McCormack appeared before the Grand Jury yesterday and accounted for all of his movements on the day of the murder. His explanation satisfied the Grand Jury that he had nothing to do with the death of the girl. McCormack was then used as a witness against Ferrone,
The latter swore before Magistrate Crane that
he saw McCormack bending over the girl in the
Cunningham rooms at the time the murder is
thought to have been committed. Ferrone has
since confessed that he never saw McCormack
until after the latter's arrest. He said that he
happened to be standing in front of the station
house on the day of the murder. He saw a
crowd, and a girl told him what the matter was.
The next day he circulated the story, and stuck
to it when the police got hold of him.
Ferrone has described the interior arrangement of the Cunningham rooms and situation
of the furniture in detail, stupplying many facts
which the police overlooked. He also said that
there was a towel with a red border on it in
one corner of the room, and the police found the
towel exactly as he described it.
He will not be arraigned for several days to
answer the indictment, and in the mean while
the police will endeavor to get Ferrone to tell a
truthful story, as it is evident that he knows
something about the murder. was then used as a witness against Ferrone.

MARINE INTELLIGENCE. MINTATURE ALMANAC-THIS DAY. BLUE WATER-THIS DAY. Sandy Hook, 12 29 . Gov. Island, 12 42 | Hell Gats . 981

Arrived-Weissesbay, June 17.

Saftwept, Titland, Glbara, as Saftram, Coon, Hamburg, is Saltram, discin, Hamburg, to School, Stevens, Havand, to School, Havand, to Iterative, School, Jackson et Iterative, Iterative, Jackson et Iterative, I [ For inter arrivals see First Pare.]

Se Labo, from New York, at Southampton, Se Ema, from New York, at Genoa. Se Signato, from New York, at Amsterdam, S. Grifol, from New York, at Hernambuco. Se Wallefield, from New York, at Unputions, Se Triff, from New York, at Unputions, Se Will, Woodward, from New York, at Hallimore, Se Will, Woodward, from New York, at Hallimore, Se Alseuborn, from New York, at Hallimore.

Sa St. Paul, from New York for Southampton, of Se St. Land, et al. Lizard, Se dermanic, from New York for Liverpool, passed over itead. ise Marie, from New York for Flushing, passed Elysia from Mediterranean ports, for New York, Se Marcugo, from New York for Deptford, passed

SAILED FROM FOREIGN PORTS. 58 Veendam, from Botterdam for New York. 54 Carlli Prince, from itto Janetro for New York. 58 Spree, from Southampton for New York.

SAILED FROM DOSCINTIC BORTS. Ss Algonquin, from Jacksonville for New York, Ss Knesse City, from Savannab for New York, Sa Enickerbocker, from New Orieans for New York

Sail inday.

Ì	Ningara, Nassan 1 and P. M. City of Birmingham Savan-	8 00 P. M.	
	uah	8:00 P. M.	
	Norwegian, Glasgow. Seminote, Charleston. Colorado, Brunswick. Sull Saturday, Jun. 20,	8-66 P. M. 3-66 P. M.	
	Campania, Liverneed 9:00 A. M. La cascosme, Have 4:00 A. M. La cascosme, Have 4:00 A. M. Earler Wilhelm H., Genon. 8:00 A. M. Furposcia, Glasgow 10:00 A. M. Furposcia, Glasgow 10:00 A. M. Furposcia, Glasgow 10:00 A. M. Recht M. Grand M. Grand H. G. G. G. M. Furposcia, Carried accessed 11:00 A. M. Wilcannia, Cape Codays 1:00 F. M. Wilcannia, Cape Codays 1:00 F. M. Allianca, Colon. 10:00 A. M. Vigitancia, Havana 10:30 A. M. Wilcinster, Havana 10:30 A. M. Miccelius, Fernandouco 7:30 A. M. Bellaura, La Plata Bellaura, La Plata Conclo, Galaceston, 10:00 F. M. Louistana, New Yoleana Conclo, Galaceston, 12:00 F. M. Lanistana, New Yoleana Conclo, Galaceston, 12:00 F. M. Laliana, New Yoleana Conclo, Galaceston, 12:00 F. M. Laliana, New Yoleana Conclo, Galaceston, 12:00 F. M. Laliana, New Yoleana	12 00 M, 7 00 A, M 12 00 A, M 12 00 M, M 12 200 M, M 12 200 M, M 10 00 P, M 10 00 P, M 12 00 P, M 12 00 M, M 1	
	INCOMING STRAMSHIPS.		

Ince Ividay, June 19 Due Sanday, June 21.
Havre.
Glasgow
Laverpool
St. Thomas Luc Monday, June 22. 

> Due Tuesday, June 23.

## GEO. C. WRIGHT ARRESTED.

AN EX-PLATONIC FRIEND SAYS SUR

IS HIS COMMON-LAW WIFE. She Charges IIIm with Abandonment and

Non-support Has She a Husband Liv-ingt-Mr. Wright Is the Father of Countess Ziehy, Formerly Mrs. Yznaga. George Curtis Wright, a designer of 1,426 Broadway, was atrested at the Stewart House, at Forty-first street and Broadway, yesterday morning on a warrant issued by Magistrate Wentworth, in the Yorkville Police Court. Mr. Wright is the father of Counters Zichy, who, previous to her marriage to Count Eichy, obtained a divorce in Yankton, South Dakota, from her first husband, Fernando Yznaga, The warrant for Mr. Wright's arrest was issued by Magistrate Wentworth at the request of Estelle Wright, who says that she is the common-law wife of the designer. In her affidavit Mrs. Wright alleges abandonment and non-support on the part of her alleged husband, to whom she says she was married by common-law process shortly after the death of the Countess Zichy's mother, six years ago. A few months ago Mr. Wright accompanied his daughter to South Dakota where she obtained her divorce. It was said at the time that Mrs. Wright objected to her husband's flying trips about the country and that she contemplated beginning divorce proceedings against him. On his return from Dakota she says that through his lawyer, H. M. Walker, she was induced to sign a paper agreeing to a separation from her husband, by which agreement she was to receive \$25 a week, When she went to the lawyer's office for the first payment she was informed that the agreement that she had signed was not worth the paper it was written on. That was in April, On May 2 Mr. Wright sailed for Europe, leaving the complainant, as she says, penniless. She laid her case before a lawyer, who told her that the only thing she could do was to wait until Mr. Wright returned and then have him arrested. Mrs. Wright, who lives at 1,497 Broadway, kept her eyes open. Last week she learned that her alleged husband had returned to this

followed. When the case was called yesterday afternoon Mrs. Wright, who is a Brazilian by birth, and is a fine-looking woman about 40 years old, told her side of the story. She said that she had known Mr. Wright for ten years or more. She met him one day on Broadway, and he invited her to lunch. From that time on they struck up a "platonie" friendship, and Mr. Wright told her that his wife was an invalid, his life was unhappy, and that he wanted sympathy.

city and was at the Stewart House. On Tuesday, accompanied by Lawyer F. A. Acer, she went to the Yorkville Police Court and told her.

story to Magistrate Wentworth. The warrant

was unhappy, and that he wanted sympathy.
"I took a great interest in him." said Mrs.
Wright, "and comforted him all I could. There
was an understanding between us that some
day we might be married. That was before his
wite died."

In answer to questions by Lawyer Walker,
who appeared for Mr. Wright, complainant
said her relations with Mr. Wright before his
wife's death were purely platonic. He went to
see her once in Asbury Park, where she was
staying under her stage name of Ethel Graham,
and also registered under the name of Graham.
After his wife's death she accepted his proposal
to live with him as his common-law wife, and
they so lived together for three or four years.
Finally they separated, and six months ago he
refused to support her. Finally they segarated, and six months ago he refused to support her.

Before she met Mr. Wright she had been married to a man named Whiliam Redlich, by whom she had two children. She hadn't heard of him for seven years, and didn't know if he was alive or dead.

Lawyer Walker told Magistrate Wentworth that he could prove that Redlich was alive and not very far away, and that the complainant lived with Mr. Wright with the knowledge that her husband was still alive.

her husband was still alive.

The complainant's lawyer said he had a bundle of letters written by Mr. Wright which would show that he had acknowledged the complainant

as his wife.

Magistrate Wentworth decided that as the hearing promised to be a long one he would adjourn the cass until 3 o clock P. M. to-morrow. In the mean time he would hold Mr. Wright in \$390 hall. It was furnished by Alvin D. Higgins of 6.79 West Forty-third street, the carpet wonnight for the property of the carpet was a furnished by Alvin D. Higgins of 6.79 West Forty-third street, the carpet was a furnished by Alvin D. Higher and the carpet was a furnished by Alvin D. Higher and the carpet was a furnished by Alvin D. Higher and the carpet was a furnished by Alvin D. Higher and the carpet was a furnished by Alvin D. Higher and the carpet was a furnished by Alvin D. Higher and the carpet was a furnished by Alvin D. Higher and the carpet was a furnished by Alvin D. Higher and the carpet was a furnished by Alvin D. Higher and the carpet was a furnished by Alvin D. High and th

manufacturer.

Mr. Wright told the reporters that his side of the story hadn't been told yet, but that, if meessary, he would show what kind of a woman the complainant was. For the present he didn't want to talk about the case, except to say that he had never acknowledged her as his wife and had never proposed marriage in any form or description to her.

## STRICKEN ON A TRICYCLE.

#### Capt. Sanford Falls Dying into the Arms of His Daughter. OCEANPORT, N. J., June 17 .- Capt. Amos W.

Sanford went out for a ride vesterday with his daughter Lucy on a tricycle which he had just purchased. At Entontown be fell backward into the arms of his daughter and he died live lies later of heart disease. He was 63 His wife and one daughter surviv For years he was a pilot on the North and East rivers.

# MARRIED.

COOPER-COOPER, On Wednesday, June 17, 1986, at the Tompkins Avenue Congregational Church, Brooklyn, N. V., by the Rev. Bokert R. Meredith, D.D., assisted by the Roy, A. K. Sanford. Beatrice Mande, daughter of the late Dr. Henry C.

BERLIN.-Suddenly, on June 15, at Glen Bidge, N.J., Jacob Berlin, in the Dist year of bis age. Funeral services Thursday morning, 18th inst. at 11:30, at his residence, Glen Ridge, Interment

over.

58 Massachusetts from New York for London, passed
rawle Point.

58 Kaselslor, from Cuxhaven for New York, passed
Rudson, June 10, 1806, Martin J. S. de Garmendia,
respectively. Hudson, June 16, 1886, Martin J. 5, de Garmendia, 1), red son of the inter Carlos de Garmendia, in the Both year of libe ago.

Sorth year of this age.

Funeral from St. Patrick's Cathedral on Friday morning, June 10, at 9 o'clock, interment at home Brae, Baltimore.

GCMBLETON.-On Tuesday, June 10, after a

short liness, at her residence, 850 East 134th st., Julia Josephine, beloved wife of Henry A Gum-Relatives and friends are invited to attend the fu-

heral from St. Jeromo's Church, corner of Alexan-der av. and 137th St. on Thursday, June 18th inst., at 10 A.M., where a solomu mass of requient will be sail for the recess of her soul. Interment at Calvary Cemetery. HIBBERT.—On June 16, 1898, at Recomfield, N. J., Join Hilbert S., in the 72.5 year of his age.

Fingeral services will be held at the residence
of his south-law. Affred M. Stager, 291 Montgomery av., on Thursday at 3 o'clock P. M. Relatives
and friends are respectfully invited to attend.

MERRITT, Suddenly, on the 16th inst., Minute C., widow of Lieut, Stephen W. Merritt. Interment at Woodlawn.

Mck ENNA .- Suddenly, on June 15 at 92 Java at. Greenpoint, William McKenna, a native of Omagh, county Tyrone, Ireland. Fineral from St. Anthony's Church 10 o'clock Thursday, where a solemn requiem mass will be offered. Interment Calvary. Relatives and friends are specially invited. Omaga and Donegal

papers please copy. PREL.—On the 16th inst., Robert Peel.
Funeral services will be held in the chapel of 5t.
Luke's Hospital, 113th st. and Amsterdam av.,
Thurday, June 18, at 11 A. M. Interment at

STRAUB,-At Pottsville, Pa., June 14, Emma, wife of Anselm Straub. Interment Greenwood Cemeters (receiving vault) 2 P. M., on Thursday, June 18, 1996. Relatives and criends respectfully invited. VATER.—At the residence of her daughter, Mrs.

Leander H. Crall, 119 Lenox av., on Tuesday, June Funeral services and interment at Cincinnati.

THE KENSICO CEMETERY, located on the Harima Railroad, forty eight industes ride from the Grand Central Depot. Office, in East 42d st.

Special Notices. MERCANTILE LIBRARY,

# Astor Place. (Branches 426 5th Ave., 120 B'way.) Therein the summer members are permitted to take ten moss, which may be kept until Get-books. I books forwarded by man or express to members out of town PADED HAIR recovers its nontiful color and actio sals the use of PARKER's HAIR HAISAM. PARER'S OINGER TONIC cures howard pains.

Arligious Notices. A MONG THE MANY CHOINS of our city, one deserving special monition is that of the church of
the Messial, that it, and Park as The quartet consite of these Enums & Wing seprens. Miss Chara Estatisman, contraine, Mr. William Express, sensor Mr.
George limit, bases and director. The runais is artistically and harmonicously rendered and they are
well deserving of the praise which is fastly given.
Much credit is due Mr. Rogers, the organist who is
thoroughly competent both as organist and secondpanis.

Rev. Dr. Minot J. Savare of Boston with